



PROPOSED RULE MAKING

CR-102 (July 2022) (Implements RCW 34.05.320) Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: September 21, 2022

TIME: 9:53 AM

WSR 22-19-098

Agency: Department of Licensing

☒ Original Notice

☐ Supplemental Notice to WSR _____

☐ Continuance of WSR _____

☒ Preproposal Statement of Inquiry was filed as WSR 22-10-103 ; or

☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or

☐ Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

☐ Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Chapter 308-108 WAC Driver Training Schools

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
10/25/2022	3:00PM	Join Zoom Meeting: https://dol-wa.zoom.us/j/84028626686?pwd=OEFRdVBreWdtVkNTNXBySmFadFhWUT09 Meeting ID: 840 2862 6686 Passcode: 109799 One tap mobile +12532158782,,84028626686#,,,*,*109799# US (Tacoma) +17193594580,,84028626686#,,,*,*109799# US Dial by your location: +1 253 215 8782 US (Tacoma) Find your local number: https://dol-wa.zoom.us/j/84028626686?pwd=OEFRdVBreWdtVkNTNXBySmFadFhWUT09	If you are having trouble accessing the public hearing at the time of the hearing, please call 360-902-3846.

Date of intended adoption: 10/26/2022 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Ellis Starrett

Address: 1125 Washington St SE, Olympia, WA 98504

Email: rulescoordinator@dol.wa.gov

Fax:

Other:

By (date) 10/24/2022

Assistance for persons with disabilities:

Contact _____

Phone:

Fax:

TTY:

Email: rulescoordinator@dol.wa.gov

Other:

By (date) 10/14/2022

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Department of Licensing is amending rules to allow driver training schools to offer driver training education classes virtually after the state of emergency ends in Washington state.

Reasons supporting proposal: The Department was petitioned to adopt these changes and has received support for these changes from the WTSC, association leaders, the public, and driver training schools. Continuing to allow virtual classrooms for driver training education increases access to driver training education in Washington state, eases the cost of obtaining a translator for students, and supports public safety.

Statutory authority for adoption: RCW 46.82.290 Administration of chapter – Adoption of rules. And RCW 46.01.110 Rule-making authority.

Statute being implemented: N/A

Is rule necessary because of a:

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: N/A

Type of proponent: ☒ Private ☒ Public ☒ Governmental

Name of proponent: (person or organization) Parkside Driving School and WTSC.

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Ellis Starrett	1125 Washington St SE, Olympia, WA 98504	360-902-3846
Implementation:	Sarann Sinthavong	1125 Washington St SE, Olympia, WA 98504	360-902-3901
Enforcement:	Ryan Flanagan	1125 Washington St SE, Olympia, WA 98504	360-890-5712

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?

☐ Yes ☒ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

☒ No: Please explain: These rules do not impose costs on businesses. There is no requirement to participate in virtual classroom, and the rules also clarify that schools can provide records to the Department either through paper or electronic means.

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570](#)(2) because it was adopted by a referendum.

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(3). Check all that apply:

☐ [RCW 34.05.310](#) (4)(b)

(Internal government operations)

☐ [RCW 34.05.310](#) (4)(c)

(Incorporation by reference)

☐ [RCW 34.05.310](#) (4)(d)

(Correct or clarify language)

☐ [RCW 34.05.310](#) (4)(e)

(Dictated by statute)

☐ [RCW 34.05.310](#) (4)(f)

(Set or adjust fees)

☐ [RCW 34.05.310](#) (4)(g)

((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(4) (does not affect small businesses).

☐ This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

☐ The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.

☐ The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

☒ The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☒ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. These changes do not require a change to existing business practices when a state of emergency is not in place.

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Date: September 21, 2022

Name: Ellis Starrett

Title: Rules and Policy Manager

Signature:

